Headquarters U.S. Air Force

Integrity - Service - Excellence

Source Selection Authority

(SSA)

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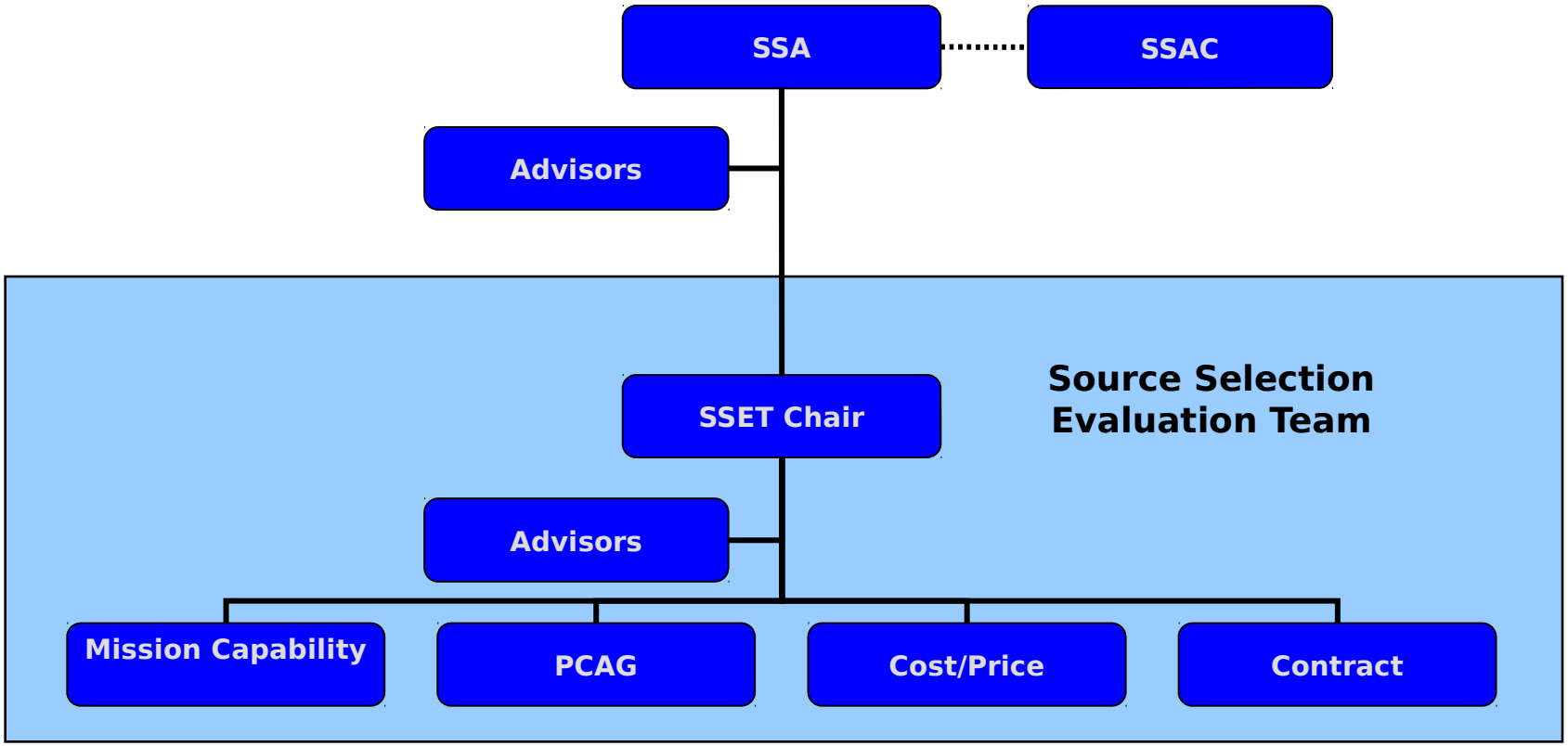
OVERVIEW

- Source Selection Organization
- AF Source Selection Key Participants
- SSA's Roles and Responsibilities
- Acquisition Ethics
  - Conflict of Interest
  - Procurement Integrity Act
- Source Selection Process
  - Overview
  - Areas that require a significant amount of your time and effort
  - Quick Look
  - Competitive Range
  - Sample Charts
  - Source Selection Decision Document (SSDD)
  - Watch Items
- Other Training

Source Selection Organization



AF Source Selection – Key Participants

- **Source Selection Authority (SSA)**
- **Source Selection Advisory Council (SSAC) Chairperson**
- **Source Selection Evaluation Team (SSET) Chairperson**
  - **Mission Capability Team Chief**
  - **Performance Confidence Assessment Group (PCAG) Chair**
  - **Cost/Price Team Chief**
- **Contracting Officer (CO)**
- **Note Restrictions:**
  - **Senior Leaders—AFFARS 5315.303(b)**

SSA Roles and Responsibilities

- **Source Selection Authority (SSA)**
  - Responsible for proper and efficient conduct of source selection IAW mandatory procedures.
  - Appoint chairpersons for SSET and SSAC when used.
  - Establish team and ensure team membership remains consistent for duration of selection process.
  - Ensure all involved in source selection are knowledgeable of policy/procedures for properly and efficiently conducting source selection.
  - Ensure no senior leader is assigned to or performing multiple leadership roles in the source selection.
  - Ensure all are briefed and knowledgeable of law regarding unauthorized disclosure of source selection information.)

SSA Roles and Responsibilities

- **Source Selection Authority (SSA)**
  - Ensure all persons receiving source selection information are instructed to comply with standards of conduct and sign the Source Selection Non-Disclosure Agreement.
  - Approve the Source Selection Plan (SSP) before release of RFP.
  - Determine if award without discussions is appropriate
  - Establish competitive range, approve entering discussions, and approve release of Evaluation Notices (ENs)
  - Select the source whose proposal offers best value
  - Document decision in Source Selection Decision Document (SSDD)

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Acquisition Ethics

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Ethics

Why Ethics Rules?

- Ensure that we perform our mission with public interest in mind.
- Uphold public's confidence in integrity of Government.

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Regulations on Ethics

- There are numerous executive orders, laws, regulations, standards and guidelines on ethics

- Sources especially important to acquisition professionals are the following:
  - Executive Order 12674, Principles of Ethical Conduct for Government officers and employees
  - Procurement Integrity Act
  - DoD Joint Ethics Regulations
  - FAR Part 3, DFARS Part 203, AFFARS Part 5303 -- Improper Business Practices & Personal Conflicts of Interest

Fundamental Basis for Ethics

- **Federal employees hold their positions as a <u>public trust</u>**
  - US citizens have a right to expect that all federal employees will place loyalty to the Constitution, laws and ethical principles above private gain
  - Federal employees shall fulfill that public trust by adhering to general principles of ethical conduct as well as specific ethical standards
  - Federal employees must avoid any action that would create the appearance of violating ethical standards and laws
  - By observing these laws and ethical standards, federal employees help to ensure that citizens have complete confidence in the integrity of Government operations and programs

Employees' Responsibilities under Executive Order 12674 (as amended)

- **Employees MUST …**
  - Place loyalty to the Constitution, the laws, and ethical principles above private gain.
  - Act impartially to all groups, persons, and organizations.
  - Give an honest effort in the performance of your duties.
  - Protect and conserve Federal property.
  - Disclose fraud, waste, and abuse, and corruption to appropriate authorities.
  - Fulfill in good faith your obligations as citizens, and pay your Federal, State, and local taxes.
  - Comply with all laws providing equal opportunity to all persons, regardless of their race, color, religion

Employees' Responsibilities under Executive Order 12674 (as amended)

- **Employees MUST NOT …**
  - Use nonpublic information to benefit yourself or anyone else.
  - Solicit or accept gifts from persons or parties that do business with or seek official action from DoD (unless permitted by an exception).
  - Make unauthorized commitments or promises that bind the government.
  - Use Federal property for unauthorized purposes.
  - Take jobs or hold financial interests that conflict with your government responsibilities.
  - Take actions that give the appearance that they are illegal or unethical.

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Ethics in Acquisition

- **Per OSD-AT&L Ethics Training, the core ethical principles for acquisition professionals are the following :**
  - Shall not hold conflicting financial interests
  - Shall not use public office for private gain
  - Shall not engage in conflicting outside employment
  - Shall not give preferential treatment
  - Shall protect and conserve Federal property

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Conflict of Interest

- **Conflict of Interest -- Mandatory Disqualification**
  - **You may not participate personally & substantially (e.g., make a decision, give advice, make a recommendation) in any government matter that would affect the financial interests of:**
    - You, your spouse, or your child
    - Your general partner
    - An organization in which you are serving as an officer, director, trustee, general partner or employee, OR
    - An organization with which you are negotiating for employment, or have an arrangement for future employment

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Conflict of Interest

- **Conflict of Interest -- Discretionary Disqualification**
  - **Your supervisor may disqualify you from participating in a government matter that affects the financial interests of:**
    - A member of your household
    - A relative with whom you have a close personal relationship
    - An organization with which you are an “active participant” (such as committee chairperson)
    - A company with which you have an off-duty business relationship
    - An organization in which you served within the last year as an officer, director, trustee, consultant, contractor or employee
    - An organization in which your spouse is currently serving as an officer, director, trustee, consultant, contractor or employee

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Conflict of Interest

- **Conflict of Interest -- Discretionary Disqualification**
  - **Balancing Test: In above situations, supervisor should allow employee to participate in the matter only if supervisor determines that government's need to have that employee participate in the matter outweighs the appearance problems that would result**
  - **Supervisor who makes this judgment must be commissioned officer or civilian GS-12 or above (exception for General Officer commanders, this determination is made by Legal)**

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Conflict of Interest

- **Conflict of Interest – Stock**
  - **Federal employees may not work on any government matter (e.g. source selection) that affects the financial interests of a company, if they (their spouse or child) own stock in the company**
    - Exception: if value of stock owned by you, your spouse or child in all the companies involved in the matter is $15,000 or less
- **The Source Selection Authority (SSA) must be advised on any Conflict of Interest Issues—Either disqualification or retention decisions**

Procurement Integrity Act

- **Procurement Integrity Act (FAR 3-104)**
  - **Prohibition on disclosing procurement information – Ban applies to:**
    - Current Federal employees
    - Former Federal employees
    - Individuals such as contractor employees who are currently advising the government regarding the procurement
    - Individuals such as contractor employees who have advised the government regarding the procurement but are no longer doing so
  - **Prohibition on obtaining procurement information other than as provided by law**
    - Ban applies to everyone including Federal and contractor personnel

Procurement Integrity Act

- **Requires agency official (officer, employee, member of the uniformed services) to report employment contacts by or with a competing contractor**
  - **Promptly report the contact in writing to the employee's supervisor and to the designated ethics official, AND**
  - **Either:**
    - Reject the possibility of employment, OR
    - Disqualify himself or herself from further personal and substantial participation in the procurement until the agency has authorized the employee to resume participation in the procurement on the grounds that:
      - The company the employment contact was with is no longer a bidder or offeror in the procurement, OR
      - All discussions between the employee and the company regarding possible employment have

Procurement Integrity Act

- **A one-year ban on accepting compensation from the contractor on acquisitions over $10M**
  - Applies to people serving on a source selection such as the Contracting Officer (CO), Program Manager (PM), SSA, members of the Source Selection Evaluation Team (SSET), etc.
  - Can apply regardless of whether one retires, resigns or separates from government
  - Applies to accepting compensation as an employee, officer, director or consultant of the contractor
  - Ban does *not* apply to accepting compensation from any division or affiliate of a contractor that does not produce "the same or similar products or services" as the entity of the contractor that is responsible for the contract the employee was involved in (such as a commercial division of the contractor)

Procurement Integrity and Ethics Summary

- All source selection participants and advisors must review, fully understand and adhere to these ethical standards and laws
- Never risk compromising the integrity of a source selection
- Refer all ethics questions and concerns to the contracting officer and legal
- Ask yourself if a reasonable person who knew the relevant facts may think that the law or ethical standards had been violated
- Avoid even the appearance that you are violating the law or any ethical principle
- Remember -- any violations may subject you to administrative, civil or criminal penalties
- Each person shall sign a Source Selection Information Briefing Certificate.

Contact the CO and Legal if you have questions

Source Selection Process

Source Selection Process Overview

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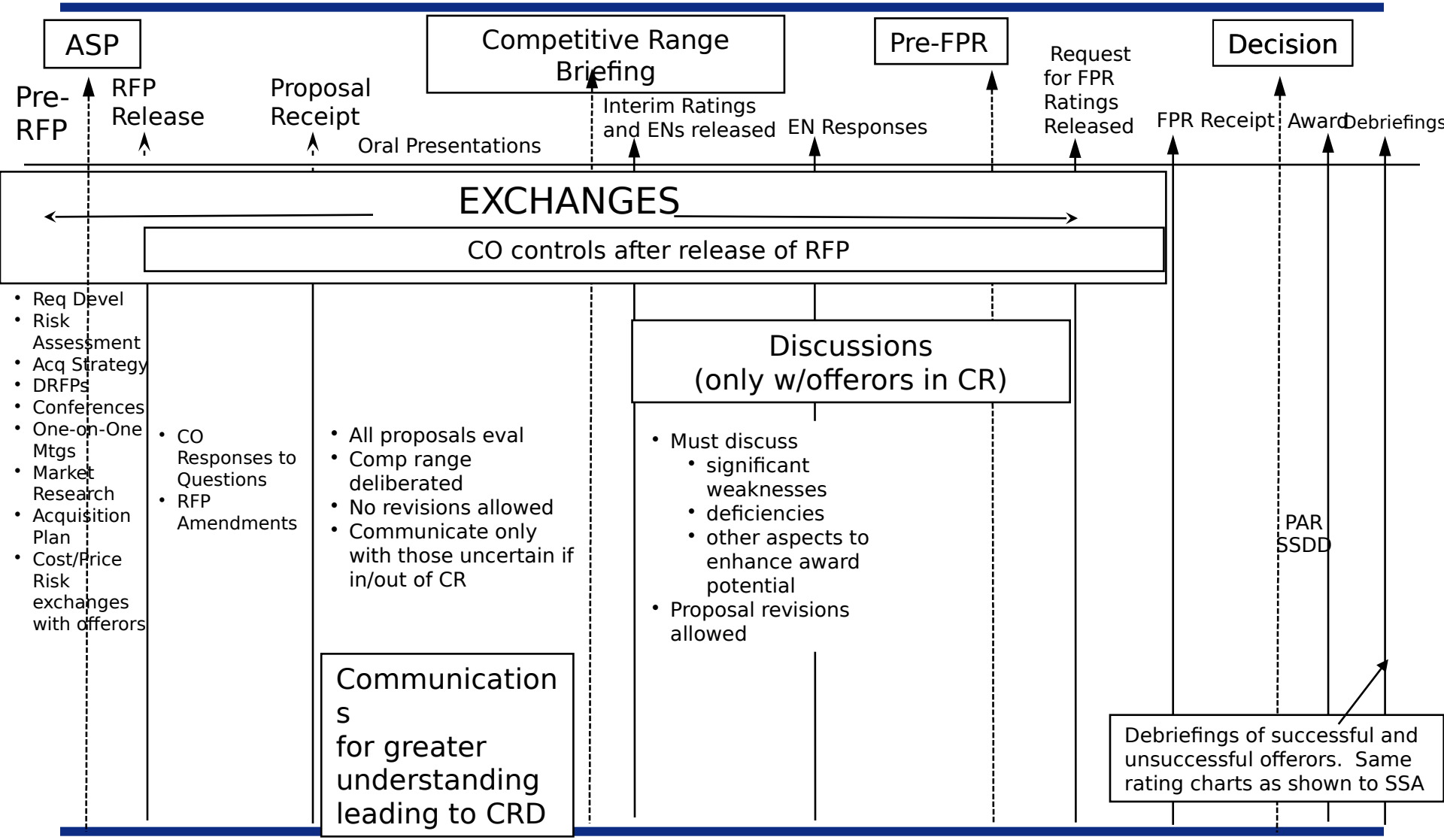

Source Selection Authority

- **Areas that require a significant amount of your time and effort:**
  - Acquisition Strategy Panel
  - Acquisition Plan
  - Source Selection Plan including Section L (Instructions to the Offerors) and Section M (Evaluation Criteria)
  - Authorize release of Request for Proposals (RFP)
  - Competitive Range Briefing
    - Competitive Range Decision and Evaluation Notices approved with approval to enter into discussions, **OR**
    - Award without discussions
  - Briefing to release Request for Final Proposal Revision (FPR)
  - Decision Briefing
  - Proposal Analysis Report (PAR) signed by SSAC Chairperson
  - Source Selection Decision Document (SSDD)

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Source Selection

- **Only people who have signed the Source Selection Non-Disclosure Agreement are authorized to handle source selection sensitive packages.**
- **Schedule for briefings must be met by the SSET to protect schedule on calendars of SSA and SSAC chairperson.**
- **SSA appoints SSAC Chairperson and SSAC members.**
- **Decide how to handle requests for meetings from competing contractors between receipt of proposals and award of contract.**

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Quick Look

- Who submitted offers?
- Are proposals complete?
- Ensure page count limitations
- Have any exceptions to RFP requirements been noted?
  - Obvious showstoppers
- Do proposals need to be loaded into any evaluation tool?
- "Quick Look" information will be provided to the SSA

Competitive Range

- **Reduction of Number of Offerors with whom Discussions will be held**

- **When is a Competitive Range established?**
  - **After the SSET has completed the evaluation of all proposals**
    - Assessed relative qualities based solely on factors and subfactors in RFP
  - **If discussions will be conducted**

- **Criteria for inclusion/elimination proposals from competitive range**
  - **Include all of the most highly rated proposals**
  - **Number may be limited for purposes of efficiency**

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Competitive Range Briefing

- **May Recommend Elimination of one or more offerors from the Competitive Range**
  - Must Provide Detail Sufficient to Support CO Recommendation for SSA Approval
- **SSET Presentation of Initial Evaluation Results for all Factors**
  - Brief all Strengths, Deficiencies, and Uncertainties
- **SSA Approval to Enter Discussions**
  - Release ENs
    - Should be Available for Review and Approval by SSA
  - SSA Approval of Interim Ratings for Release to Offerors
- **SSA Approval for Award Without Discussions**
  - If awarding without discussions, SSAC chair (SSET chair if no SSAC) will provide a source selection recommendation to the SSA
    - Also provide a minority opinion if there is significant disagreement among the SSAC members
- **SSA Approval of Interim Ratings for Release to Offerors if Entering Discussions**

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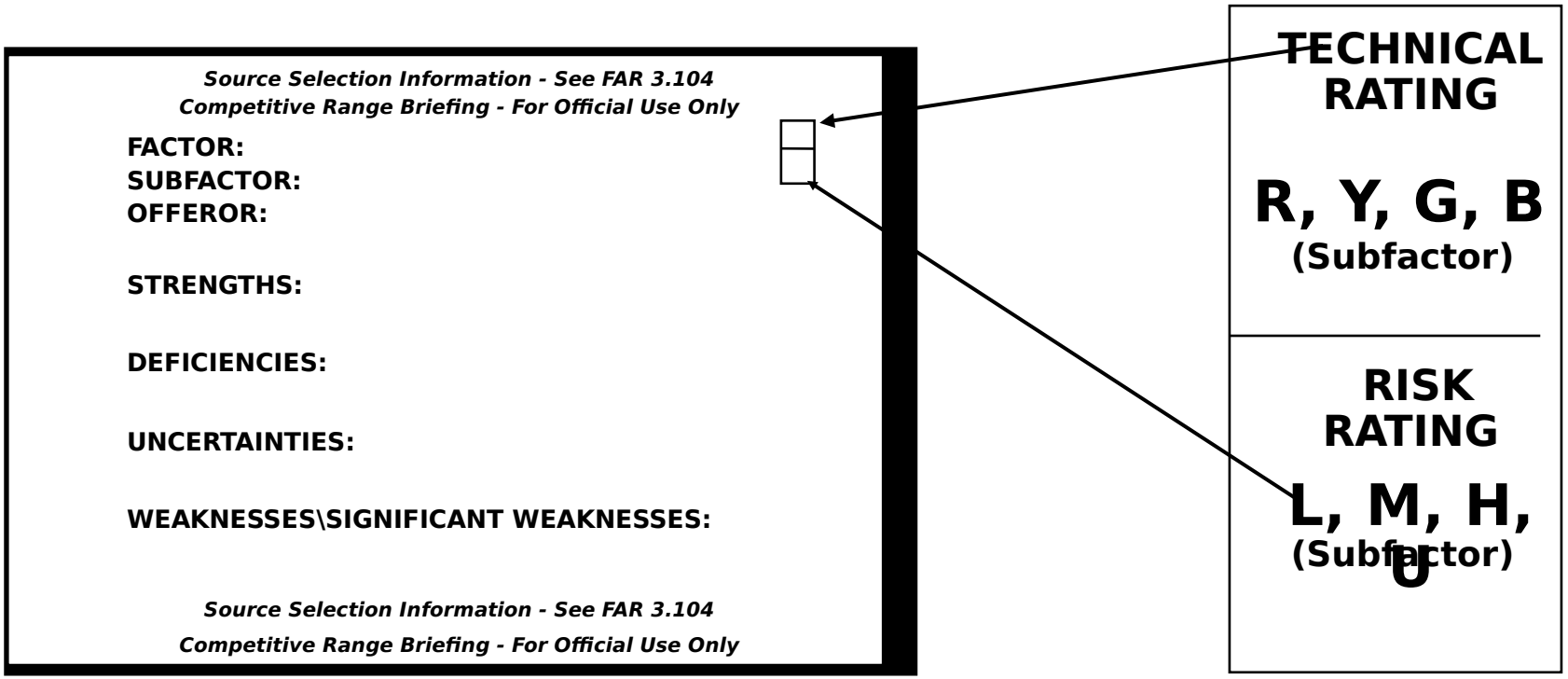
Sample Charts

- **Example charts are provided for the following:**
  - **Mission Capability**
    Technical Rating
    Risk Rating
  - **Past Performance**

Sample Chart Format (Mission Capability Technical/Risk)



On the following slides, for each FACTOR/SUBFACTOR, the STRENGTHS, DEFICIENCIES and UNCERTAINTIES reported support the TECHNICAL RATING, and the SIGNIFICANT WEAKNESSES AND WEAKNESSES reported support the RISK RATING

Sample Source Selection Briefing Charts Mission Capability Technical/Risk

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Factor **Mission Capability**
Subfactor **Subfactor 1—(name of subfactor)**

B

H/M/L

Technical Rating

- **Strength**
  - **State the Strength**
    - Requirement: State what the requirement is and where in the RFP it was required.
    - How does the strength exceed the requirement?
    - Explain benefit to the Government of this strength
    - State whether strength will be added to contract OR is inherent in the proposal

Note: Strength does not automatically result in Green Or Blue for Subfactor Rating

Sample Source Selection Briefing Charts Mission Capability Technical/Risk

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Factor **Mission Capability**

Subfactor **Subfactor 1–(name of subfactor)**

R
H/M/L

Technical Rating

- **Deficiency**
  - **State the Deficiency**
    - What requirement in the RFP did the offeror fail to meet? Where was the requirement?
    - Reference EN number

Note: Deficiency drives RED at the Subfactor level. RED means the proposal is unawardable.

Sample Source Selection Briefing Charts Mission Capability Technical/Risk

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Factor Mission Capability
Subfactor Subfactor 1—(name of subfactor)

Y
H/M/L

Technical Rating

- **Uncertainty**
  - State item on which you need more information or where the information is unclear.
  - What did the RFP require?
  - What did the offeror provide?
  - Reference EN number

Note: Uncertainties Normally Drive Yellow Subfactor Rating

Sample Source Selection Briefing Charts Mission Capability Technical/Risk

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Factor **Mission Capability**
Subfactor **Subfactor 1—(name of subfactor)**

B/G/Y
H/M/L

Risk Rating

- **Weakness or Significant Weakness**
  - **State the Weakness or Significant Weakness**
    - Will the weakness have an impact on schedule, cost or performance?
    - Did the offeror propose risk mitigation?
    - Reference EN number
- **Deficiency**
  - **Which significant weaknesses or combination of weaknesses is very likely to cause unmitigated disruption of schedule, drastically increase cost or severely degraded performance?**
  - **Reference EN number**

Sample Source Selection Briefing Charts

Past Performance

	Contract		R	E	NR	N	VR	E	R	E	R	E	R	E	FFP/AF	$19.9M	VR
	Contract		R	E	NR	N	VR	E	VR	E	R	VG	R	E	FFP/IF/AF	$23M	VR
	Contract		SR	E	R	E	NR	N	R	E	SR	E	R	VG	CPAF/AT	$4.2M	SR
	Contract		R	VG	SR	VG	NR	N	NR	N	R	VG	R	E	CPIF	$22M	R
	Contract		R	VG	NR	N	R	VG	R	VG	R	S	R	VG	FFP	$2.3M	SR
	Contract		R	E	NR	N	VR	E	R	E	R	E	R	S	CPAF	$40M	R
	Contract		R	E	SR	E	NR	N	VR	E	R	E	R	S	CPAF & FFP	$17.3M	R
	Contract		R	E	SR	E	NR	N	NR	N	R	E	R	S	CPIF	$57M	R
	Subcontractor																
	Contract		R	E	NR	N	VR	E	R	VG	R	E	NR	N	FFP	$5.4M	VR
	Contract		R	VG	NR	N	VR	VG	R	E	R	VG	NR	N	FFP	$9M	VR
	Contract		SR	E	NR	N	R	E	R	E	SR	E	NR	N	FFP	$2.5M	VR
	Contract		R	VG	SR	S	VR	VG	R	S	R	VG	NR	N	FFP	$2.6M	VR
	Contract		SR	E	SR	N	NR	N	NR	N	NR	N	NR	N	FFP	$2.6M	VR
	Subcontractor																
	Contract		NR	N	SR	E	NR	N	NR	N	NR	N	NR	N	FFP	$130K	SR
	Contract		NR	N	SR	E	NR	N	NR	N	NR	N	NR	N	FFP	$313K	SR
	Contract		NR	N	SR	E	NR	N	NR	N	NR	N	NR	N	FFP	$66K	SR

VR=Very Relevant
R=Relevant
SR=Somewhat Relevant
NR=Not Relevant

E=Exceptional
VG=Very Good
S=Satisfactory
M=Marginal
U=Unsatisfactory

Sample Source Selection Factor Evaluation Matrix

MISSION CAPABILITY					
Subfactor 1		**Subfactor 2**		**Subfactor 3**	
Technical Rating	**Risk Rating**	**Technical Rating**	**Risk Rating**	**Technical Rating**	**Risk Rating**
PAST PERFORMANCE* ***Assessed at subfactor, rated at factor level**					
PRICE/COST					

Integrated assessment of above factors and subfactors will be made in order to determine "best value" to the government.

Factor Evaluation Matrix Including Cost/Price Risk

<table>
<tr><td colspan="6">COST/PRICE RISK</td></tr>
<tr><td colspan="6">MISSION CAPABILITY</td></tr>
<tr><td colspan="2">Subfactor 1</td><td colspan="2">Subfactor 2</td><td colspan="2">Subfactor 3</td></tr>
<tr><td>Technical Rating</td><td>Risk Rating</td><td>Technical Rating</td><td>Risk Rating</td><td>Technical Rating</td><td>Risk Rating</td></tr>
<tr><td colspan="6">PAST PERFORMANCE*
*Assessed at subfactor, rated at factor level</td></tr>
<tr><td colspan="6">PRICE/COST</td></tr>
</table>

Integrated assessment of above factors and subfactors will be made in order to determine “best value” to the government.

Records Retention

AFFARS MP5315.3, para 4.2.2.3

- **Maintain source selection evaluation records**
  - **Once presented to SSA in any form, that evaluative material and any related supporting evaluative material becomes an official record that must be maintained and must not be altered.**
  - **Can update, revise, or change that evaluation information in subsequent documentation, *but the original record must remain distinct***
  - **Prior to presentation to the SSA, evaluative materials are "working papers" and may be changed/modified by their author as necessary**

Proposal Analysis Report (PAR)

- **Part I – Introduction**
  - Acquisition background including requirements description
  - List of offerors (to include Competitive Range if appropriate)
  - Evaluation Factors/Subfactors
- **Part II – Description of Proposals**
  - Focus on unique characteristics of each Proposal
  - No judgments, comparisons, Ratings
- **Part III – Evaluation Results**
  - Results of evaluation of each Proposal against evaluation Factors/Subfactors
  - Strengths, Weaknesses and Deficiencies
- **Part IV – Comparative Analysis of Offerors**
  - Comparison of Proposals by Factors and Subfactors
  - Strengths, Weaknesses and Deficiencies
  - Assessment of Cost or Price, Past Performance, and Cost/Price Risk (if used)
  - Adequate price competition determination
  - Source Selection Recommendation (if applicable, any minority opinion)
- **Part V--Contracting**

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Source Selection Decision Document (SSDD)

- **Provides SSA's Integrated Assessment and Best Value Decision**
- **Must track to Requirements, Evaluation Factors, Decision Briefing and PAR**
- **Compares Proposals by Factors/Subfactors**
- **Must be a stand alone document**
- **Redacted copy will be provided to debriefed offerors**

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Watch Items

- **The following areas need special attention by the SSET**
  - **Documentation**
    - Mission Capability Technical and Risk Rating Subfactor Summary
      - Each evaluator does his/her individual analysis sheet
      - Then together the team develops a consensus and the subfactor leader documents that in the subfactor summary making sure he/she covers any minority opinion remaining after consensus.
      - Recent GAO protest decisions have been impacted by this documentation
  - **Definitions**
    - Must make sure strengths meet all three parts of the definition
      - Mission Capability Team Chief must be able to explain why it is a strength and how it is advantageous to the Government.

Other Training

- **Source Selection Advisory Council Chairperson Module—1 hour**
- **Source Selection Evaluation Team Chairperson Module**
  - **SSET chairperson roles and responsibilities –1 hour**
- **Source Selection Evaluation Team Training—2 days**
  - **For SSET chairperson, technical, performance confidence assessment group (PCAG), contracting, cost/price members and advisors**
  - **Includes pre-solicitation, issuance of the request for proposal, evaluation of proposals, process of discussions, briefings and documentation.**
  - **Acquisition specific team training will allow members to ask relevant questions to their source selection**
- **Follow-on Specific Training Available as required**
  - **Evaluation of Mission Capability**
  - **Evaluation of Past Performance**